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ABSTRACT

This bulletin reviews the results of a survey of college administrators and security officials by the Harvard School of Public Health concerning their schools' policies regarding alcohol problems on campus. A total of 529 respondents from 347 public and private four-year institutions were asked to complete a mailed questionnaire which examined institutional policies and practices, alcohol problems on campus, current alcohol education programs, and policy enforcement. Comparisons were made between schools which had major problems and those that had minor problems. Three problem-oriented strategies were offered for stronger enforcement of the minimum age drinking law, including: (1) identifying on-campus locations where underage drinking was occurring and taking meaningful disciplinary action against those serving alcohol to minors; (2) establishing a policy of zero tolerance for the fake IDs students were using to purchase alcohol; and (3) taking firm disciplinary steps, including probation, fines, community service, suspension, and/or expulsion, against students who drive or commit other infractions while under the influence. Appended are a list of resources and other related publications. (CH)

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ED 435 333

Current Research Summary

ENFORCING *the* MINIMUM Age DRINKING LAW:

A Survey *of* College Administrators *and* Security Chiefs

The Higher Education Center
For Alcohol And Other Drug Prevention

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HE 032 553

Enforcing the Minimum Drinking Age Law: A Survey of College Administrators and Security Chiefs

by
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Harvard School of Public Health

Introduction

Is alcohol consumption a major problem at America's colleges and universities? Most school administrators and security chiefs answer with a resounding *yes*.

At the same time, however, many of these officials express dismay over the seeming futility of enforcing the minimum drinking age law, which makes it illegal for students under age 21 to buy or be served alcohol.

On the one hand, tougher restrictions on drinking have had little effect on underage drinking, most college officials say, and they are skeptical about whether even tighter controls on student drinking can help.

On the other hand, a detailed examination of how rules against underage drinking are currently enforced reveals a widespread laxity that stands in contrast to the requirements of the Drug-Free Schools and Campuses Act. School administrators and security officials are missing key opportunities for more effective action to enforce the minimum drinking age law.

...a detailed examination of how rules against underage drinking are currently enforced reveals a widespread laxity that stands in contrast to the requirements of the Drug-Free Schools and Campuses Act.

These are the major conclusions of a recent study of college administrators and security chiefs conducted in 1993 by the Harvard School of Public Health with funding from the AAA Foundation for Traffic Safety (see sidebar on "*Methodology*").

This bulletin reviews the results of the Harvard study and its implications for how postsecondary schools can better prevent underage drinking through firm and consistent enforcement of the law.

The bulletin has been written for administrators at institutions of higher education who are responsible for developing and implementing alcohol and drug policies on campus, including college presidents, vice presidents, deans of students, and deans of residential life.

Other members of the college community who have a special interest in substance use prevention—faculty, students, program directors, campus security, and other staff—will also find the bulletin to be a useful review of problems in enforcing the minimum drinking age law on campus.

Alcohol Problems on Campus

Unsafe sex and alcohol use top the list of most serious student problems, according to the surveyed college administrators. Two-thirds said that heavy alcohol use is either a "moderate" or "major" problem on campus. Three-fourths reported that at

Recommendations

The Harvard survey of college administrators and security chiefs suggests three actions colleges and universities can consider in order to strengthen their law enforcement efforts:

1) *Identify on-campus locations where underage drinking is occurring and then take meaningful disciplinary action against those who are serving alcohol to minors.*

2) *Establish a policy of "zero tolerance" for fake IDs that underage students use to purchase or be served alcohol.*

3) *Take firmer disciplinary steps (e.g., probation, fines, community service, suspension, expulsion) against students who drive or commit other infractions while under the influence.*

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least 1 student in 10 is a heavy or problem drinker, while nearly half thought that at least 1 student in 5 drinks to excess.

Administrators also reported how often alcohol use contributes to student problems. Figure 1 shows that two-thirds or more of the officials said that three problems are "nearly always" or "in most cases" alcohol-related: sexual assault, unsafe sex, and physical assaults.

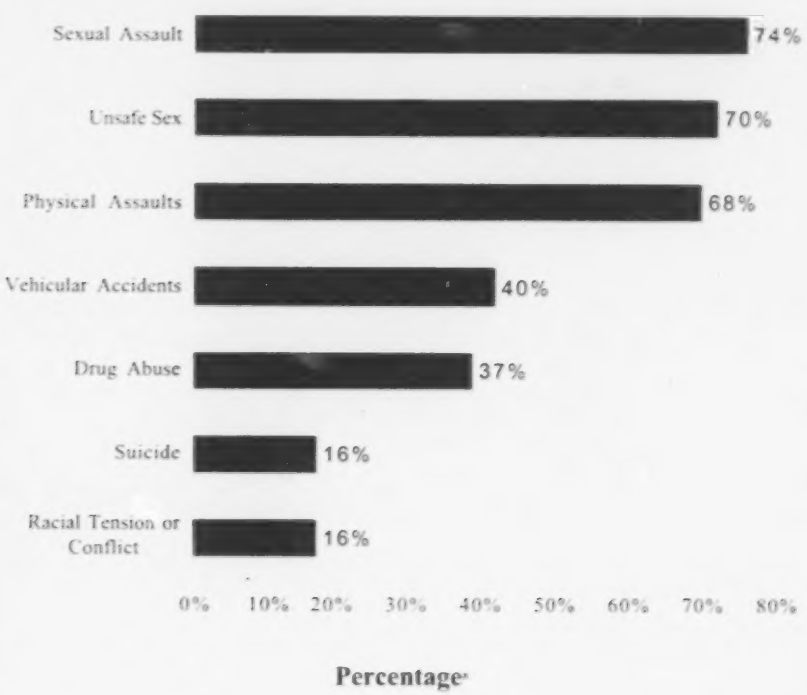
These problems have arisen in part because drinking is a central activity in the lives of many college students. Sixty-three percent of the administrators said that drinking is "important" or "very important" to their students, compared to 71 percent of administrators who indicated that athletics is important and 94 percent who said that academic work is important.

Current Alcohol Education Programs

Administrators inform students of the rules against underage drinking in a number of ways. Ninety-eight percent of the administrators said the rules are listed in the general student handbook. Other common dissemination methods include explaining the rules at meetings or workshops (87 percent) or at large orientation meetings (80 percent). Smaller numbers of administrators reported listing the rules in the college catalog (49 percent), issuing a handbook specifically about alcohol (47 percent), or explaining the rules in classes (16 percent).

Orientation sessions for first-year students have often been incomplete in their coverage of the rules. Only 58 percent of administrators reported that the sessions cover rules against underage drinking in depth, 37 percent said the sessions address the rules against providing alcohol to underage students, and 23 percent said the sessions explain the rules against fake IDs.

Figure 1. Report by College Administrators on Alcohol's Contribution to Student Problems at Their Schools



* Percentage of college administrators reprting that alcohol contributes to each problem "in most cases" or "nearly always"

Methodology

The Harvard team selected a random sample of 347 four-year colleges and universities. These schools included a representative mix of public and private institutions and varied widely in enrollment size and location (urban, suburban, rural).

Deans of students and security chiefs at these schools received a mailed questionnaire. The response rate was 86 percent for college administrators and 68 percent for security chiefs.

The final sample of 529 respondents included 304 college administrators and 225 security officials. The 304 college administrators consisted of 256 deans of students and 48 other persons who fulfill the dean's role with respect to substance use issues. Of the 225 security officials, 211 were heads of campus security.

Approximately one-fifth of the administrators reported that their school currently had a prevention grant from the Fund for the Improvement of Postsecondary Education (FIPSE), and an additional one-fifth reported that their school previously had a FIPSE grant.

Table 1. Report by College Administrators on the Consequences of Increasing the Minimum Drinking Age to 21

Reported Consequence	Percent [a]
Students have become more aware of the problems related to drinking	71%
Underage student drinking has decreased	25
Heavy drinking has decreased [b]	20
Student drinking has continued but gone off-campus	81
Students drive after drinking more frequently	27
Student drinking has continued on-campus, but gone "underground"	70
Atmosphere on campus has become more conducive to studying	34
Campus morale has suffered	32
Enforcement of alcohol policies has become more difficult	48

[a] Percentage of college administrators reporting that each consequence has occurred since the minimum drinking age increased to 21

[b] Five or more drinks in a row

About two-thirds of the administrators reported that they offer educational programs on drinking and driving and conduct campaigns promoting the use of designated drivers. Attendance at these sessions is usually voluntary, however. Of the 20 administrators, only 1 reported that every student is required to attend.

Current Alcohol Policies

The survey asked the administrators to say which of several policy statements describe what their schools do about drinking. Seventy-six percent reported that they encourage "responsible drinking," while 55 percent said they tolerate drinking but try to keep students from becoming "drunk and disorderly." Only 41 percent said they discourage or try to prevent all student drinking.

Among the 166 administrators who reported changes in their schools' alcohol policy since 1987, 69 percent characterized their new policies as more restrictive, while only 4 percent said their new policies are less restrictive. Similarly, 62 percent of all administrators reported that, compared to 1987, there has been greater enforcement of their alcohol policy.

When asked which of several factors had led to changes in their school's alcohol policy, most administrators said the changes were prompted by new federal legislation (66 percent) or by specific alcohol-related incidents (52 percent). Other common motivators were the FIPSE grant program (39 percent) and a general increase in student alcohol abuse (47 percent).

"You know, you've got to be consistent with your policies. I mean if there's a policy—and I'm not saying whether I believe it's right or wrong, that's not what I'm trying to get into—but if they have their laws and their policies, I think it's ridiculous for them not to follow them 100 percent of the time . . . . How can a student have respect for an administration that doesn't . . . . back up what it says?"

–A University Student

Seventy-one percent of administrators said that the increase in the minimum drinking age, which was imposed in most states in the late 1980s, led students to become more aware of problems related to drinking. However, as shown in table 1, few administrators reported a drop in either underage or heavy drinking as a result of the age 21 limit.

Most administrators and security chiefs agreed that the legal age limit should be at least 21 years. Perhaps daunted by the challenge of enforcing the current law, 40 percent of the administrators and 17 percent of the security chiefs endorsed a younger minimum drinking age.

Current Policy Enforcement

The survey also asked administrators and security chiefs about enforcement of the minimum drinking age law and other campus alcohol rules. Their responses underscore the difficulties that college officials face as they seek to enforce the rules against underage drinking.

Just over half of security officials said that enforcement of the minimum drinking age law is "somewhat difficult" or "very difficult." Enforcing the law, they reported, is especially hard in private settings such as residence halls and fraternity or sorority houses, less so in public places such as intercollegiate sporting events or campus pubs.

As shown in table 2, security officials reported that the largest number of alcohol-related problems take place at student gatherings in dormitories, fraternities, and sororities. Yet, fewer than half of these officials reported that their schools have a no-alcohol policy for these settings, and one-third or fewer stated that their schools' alcohol policies are strictly enforced there.

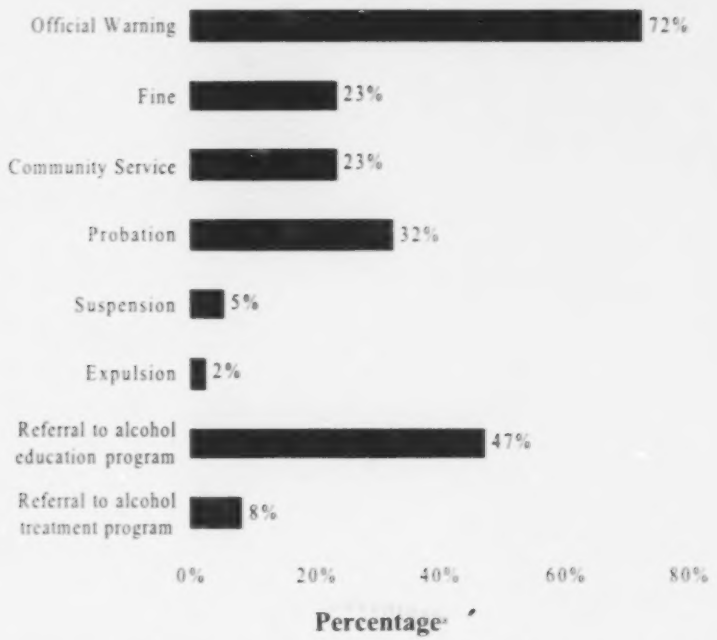
In contrast, the security chiefs stated that alcohol use is most widely prohibited at sports-related events, and that this is where campus alcohol policy is most often

TABLE 2. Report by Security Officials on Alcohol Prohibition, Policy Enforcement, and Frequency of Alcohol-Related Problems at Campus Events

	Percentage of Security Officials [a]		
Type of Event	Alcohol Use Prohibited	Policies Aggressively Enforced	Frequent Problems Due to Alcohol
Intramural sports	92	52	1
Intercollegiate sports event	90	58	7
Tailgate, pre- and post-game parties	66	43	12
On-campus dances or concerts	64	61	20
Dormitory social events or parties	61	40	20
Homecoming celebrations	58	43	14
Gatherings of faculty with students	55	36	<1
Student gatherings in dorm rooms	48	28	27
Sorority events or parties	41	32	26
Fraternity events or parties	39	33	43

[a] Percentage of security officials reporting for each event 1) whether their schools' policy prohibit all alcohol use, 2) whether their schools' policy is "aggressively enforced in all circumstances," and 3) how frequently problems or disturbances related to alcohol use occur.

Figure 2: Report by College Administrators on the Use of Disciplinary Actions in Response to Underage Drinking



* Percentage of college administrators reprting that each disciplinary action is "usually" taken when underage students are found to be drinking or in possession of alcohol

aggressively enforced. Accordingly, the security chiefs reported having relatively few alcohol-related problems at such events.

Schools have applied a wide range of disciplinary actions when underage students are caught drinking (see figure 2). Nearly three-fourths of the administrators typically have issued an official warning, and just under half usually have referred students to an alcohol education program. A relatively small percentage of administrators typically have applied more severe penalties, including probation, fines, and community service, while fewer than 1 in 20 administrators have imposed the harshest penalties, suspension or expulsion.

How colleges respond to particular infractions is also revealing. For example, when underage students have been found with fake IDs, about two-thirds of the administrators reported they take some type of disciplinary action, but only about half stated that students must surrender the IDs.

Similarly, when a student has been arrested for driving under the influence of alcohol, only 42 percent of the administrators said their schools have taken disciplinary action (see table 3). The more common response has been to refer the student to an educational or counseling program. Seventeen percent have taken no action, leaving the matter entirely to the criminal justice system.

When an underage student has required emergency medical treatment for overdosing on alcohol, 80 percent of the administrators said the student has been referred to an educational or counseling program. Just over half stated that disciplinary action results. Less than 1 percent have taken no action in response to this type of incident.

Comparing Schools with Major Versus Minor Alcohol Problems

Two-thirds of the administrators reported a "moderate" or "major" problem with heavy alcohol use at their schools, while 24 percent said there is a "minor" problem and 9 percent said there is "no problem."

Table 4 shows that administrators from schools with a moderate or major problem were more likely than administrators from schools with a minor problem to have said that they encourage responsible drinking and that they tolerate drinking while trying to keep students from becoming drunk and disorderly.

Administrators from schools with a moderate or major problem were also more likely to have said that their schools prohibit alcohol only for students under age 21, as opposed to having a dry campus or prohibiting alcohol use by all students, whatever their age. These administrators also reported more often that their schools' alcohol policy does not prohibit drinking at fraternities and sororities.

Whatever the extent of their schools' alcohol problem, the majority of administrators favored age 21 as the preferred minimum legal drinking age. However, those from schools with a moderate or major problem were more likely to endorse a minimum drinking age below age 21.

One possible conclusion from these data is

"When they trained us, it was stated that it was state law that you have to be 21 to drink, but as long as somebody has their door closed, you don't intervene. So it's the 'official' unofficial policy. I don't know how to explain it."

- A Resident Assistant

that weaker drinking policies lead to greater alcohol problems. It is conceivable, however, that the direction of causality runs the opposite way, that is, colleges where student alcohol use is highest end up having more lenient policies. This might result because school officials became discouraged by the apparent intractability of the problem, or because they anticipated vigorous resistance from students, alumni, or faculty to stricter policies. Whatever the case, all school administrators need to ensure that their policies are consistent with the requirements of the Drug-Free Schools and Campuses Act.

Implications for College Administrators

Many schools have made their alcohol policies stricter in recent years, and many have toughened enforcement of their policies. Despite these changes, alcohol consumption rates have continued to be very high, even among students under the minimum drinking age. Especially worrisome is the percentage of college students who are heavy or problem drinkers.

The Need for Stricter Enforcement

Enforcement of the minimum drinking age law presents college administrators and security chiefs with a significant challenge, in part because their student bodies are composed both of older students who can legally buy or be served alcohol and underage students who cannot.

TABLE 3. Report by College Administrators on Most Likely Responses to Alcohol-Related Infractions

	Percentage of College Administrators [a]			
Type of Infraction	Take Disciplinary Action	Talk With Student	Refer to Educational/ Counseling Program	Do Nothing
21-year-old buys alcohol for underage friends	74	40	21	5
Student hosts on-campus party with underage drinking	89	33	21	<1
Alcohol found in underage student's dorm room	67	47	27	5
Underage student required emergency medical treatment for alcohol overdose	51	41	80	<1
Student arrested for driving under the influence of alcohol	42	37	54	17
Open bottle of alcohol found in student's car	44	44	26	17

[a] Percentage of college administrators reporting that they take various actions in response to each situation

TABLE 4. Report by College Administrators on Objectives of School Alcohol Policies by Extent of Heavy Alcohol Use by Students

	Percentage of Security Officials[a] Extent of Heavy Alcohol Use		
Policy Objective	**Not a Problem**	**Minor Problem**	**Moderate/ Major Problem**
Discourage or try to prevent all student drinking	92	52	1
Tolerate drinking but try to keep students from becoming drunk and disorderly	35	37	64
Encourage responsible drinking	43	62	85

[a] Percentage of college administrators reporting that each statement describes what their school does about drinking

Faced with this complication, some of the survey respondents stated that they favor lowering the minimum drinking age below 21. This is not the majority view, however. In fact, the survey found that most officials anticipated a host of negative consequences if enforcement of the age 21 limit were lessened, including more student drinking, a drop in the college's image, parental displeasure, and a decline in academic work.

Are even stricter policies the answer? Only 12 percent of school administrators seemed to think so. A greater percentage of security officials favored stricter policies, but they also represented a minority among their peers (37 percent).

When asked what difference it would make if their schools did strengthen enforcement of the minimum drinking age law, most administrators and security chiefs said they expected little change, except that parents would be pleased. Most significantly, only 20 percent of administrators thought that stricter enforcement would reduce student drinking.

Doubts about tougher alcohol policies are due in part to a widespread belief that the recent strengthening of these policies has not made any difference in improving the student drinking problem. In the view of many college officials, a strict approach has been tried and failed. What is also clear from this study, however, is that the minimum drinking age law is half-heartedly enforced on many campuses, even when students are accused of serious violations such as alcohol-impaired driving. This lack of diligent enforcement sends students a mixed message about the consequences of breaking the law, thus undermining any possible deterrent effect.

Lax enforcement might also constitute a violation of federal law. The Drug-Free Schools and Campuses Act specifies that students must be informed of standards of conduct that clearly prohibit violations of local, state, and federal laws pertaining to alcohol and other drugs. Having written policies is not sufficient. Whatever those policies are, it is the extent to which they are enforced that defines a school's *de facto* standards of conduct.

The need for stricter enforcement also emerges from a consideration of case law. The courts do not expect colleges and universities to take extreme measures to control students' conduct, especially in private residences, but if school officials become aware of a potentially risky or illegal activity, they must take action. Not doing so could be construed as a failure to take reasonable measures to provide a safe campus, thereby opening the school to civil liability.

Recommendations

School administrators can build broad support for firmer enforcement of the minimum drinking age law by using a *problem-oriented strategy* that holds students accountable for assault, drunk driving, vandalism, and other infractions committed while under the influence of alcohol. Within this general framework, the Harvard study leads to three key recommendations.

First, school officials can *identify on-campus locations where underage drinking is occurring and then take meaningful disciplinary action against those who are serving the alcohol to minors*. One way to do this is suggested by the search for "killer bars" in drunk driving prevention: tracking where underage students get access to alcohol.

On many campuses, this will mean taking tougher steps to deal with underage drinking at fraternities and sororities, in extreme instances even terminating the school's official recognition of houses that fail to correct abuses. According to security officials, the largest number of alcohol-related problems occur at student gatherings in dorm rooms and at fraternity or sorority events. Yet, only one-third or fewer of these officials stated that their schools' alcohol policies are strictly enforced in each of those settings.

Second, administrators can *establish a policy of zero tolerance for fake IDs used by underage students to purchase or by served alcohol*. The survey shows that too few colleges make clear to students that fake IDs are prohibited. And when infractions do occur, too few colleges are applying meaningful penalties or even confiscating the IDs. School officials should consider making the elimination of these passports to illegal drinking a higher priority.

Administrators can establish a policy of zero tolerance for fake IDs used by underage students to purchase or be served alcohol.

Third, administrators can *take firmer disciplinary steps against students who drive or commit other criminal behavior while under the influence, including use of probation, fines, community service, suspension, and expulsion*. Community-level efforts to prevent drunk driving suggest that firm rules, coupled with prompt action and strict enforcement, are the keys to reducing these problems. College administrators need to apply that lesson on campus.

These recommendations are consistent with a comprehensive and multifaceted approach to prevention that stresses *environmental* change, that is, change in the social, legal, and economic environment in which students make decisions about their drinking behavior. Making procurement of alcohol more difficult is a key aspect of this approach, as are tougher disciplinary responses to students who are caught engaging in illegal activities related to drinking.

Enforcing the rules will show that school officials are committed to the health and well-being of their students and to creating a safe environment in which all students can prepare for their futures.

Bringing about a change in a school's drinking environment requires steadfast commitment, plus a recognition that no one policy alone will solve the problem. Unfortunately, too many college officials lack that commitment, either because they are ambivalent about what needs to be done or because they have resigned themselves to the "inevitability" of underage drinking. Thus, while stricter rules against underage drinking have been promulgated, they have not yet been enforced in a firm and consistent way. As concerns about student drinking and its consequences continue to mount, greater numbers of school officials will recognize that having rules but failing to enforce them firmly and consistently is simply bad policy. By contrast, enforcing the rules will show that school officials are committed to the health and well-being of their students and to creating a safe environment in which all students can prepare for their futures.

Drug-Free Schools and Campuses Act

While college administrators have long been concerned about student alcohol and other drug use, the driving force behind recent prevention activity has been the passage of the *Drug-Free Schools and Campuses Act*, codified as Part 86 of EDGAR (34 CFR Part 86). Failure to meet the Part 86 of EDGAR requirements can put a school's federal funding in jeopardy.

Part 86 of EDGAR requires that every institution of higher education, as a condition of receiving any federal financial assistance, must provide the following information to each student and employee:

- a description of the health risks associated with the use of alcohol and illicit drugs;
- a description of any drug or alcohol counseling, treatment, or rehabilitation programs available to students and employees;
- standards of conduct that clearly prohibit the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on school property or as part of any school activities;
- a description of the applicable legal sanctions under local, state, or federal law for the unlawful possession, use, or distribution of alcohol and illicit drugs;
- a clear statement that the school will impose disciplinary sanctions on students and employees who violate the standards of conduct; and

...continued on page 10

Resources

The Higher Education Center for Alcohol and Other Drug Prevention is a national resource center established by the U.S. Department of Education and managed Educational Development Center in Newton, MA.

The Center's goal is to assist colleges and universities as they work to change campus cultures, foster environments that promote healthy lifestyles, and prevent student alcohol and other drug abuse.

The Center offers five types of services: 1) information services, 2) technical assistance, 3) training, 4) national meetings, and 5) publications.

These services are available to all institutions of higher education free of charge. For additional information, contact the Center at the following address:

Higher Education Center for Alcohol and Other Drug Prevention
c/o Educational Development Center
55 Chapel St.
Newton, MA 02158
Phone: (800) 676-1730
Fax: (617) 969-5979
E-mail: HigherEdCtr@edc.org
Internet: http://www.edc.org/hec/

Drug-Free Schools and Campuses Act (cont'd)

- a description of the sanctions, up to and including expulsion, termination of employment, and referral to local law enforcement.

The regulations also require schools to prepare a written review of their programs every two years to 1) determine their effectiveness and implement any needed changes, and 2) ensure that the schools' sanctions are being consistently enforced.

The written biennial review must be made available to anyone who asks for a copy.

The findings from the Harvard survey of college student drinking underscore the importance of school administrators adhering to the Part 86 of EDGAR requirements and developing a comprehensive, multifaceted approach to this problem.

Publications of the Higher Education Center

Student Flyer

Alcohol and Acquaintance Rape: Strategies to Protect Yourself and Each Other

Guides

Preventing Alcohol-Related Problems on Campus: Acquaintance Rape

Preventing Alcohol-Related Problems on Campus: Impaired Driving

Bulletins

Binge Drinking on Campus: Results of a National Study

Enforcing the Minimum Drinking Age Law: A Survey of College Administrators and Security Chiefs

Institutionalizing an Alcohol and Other Drug Prevention Program

Preventing Alcohol-Related Problems on Campus: Vandalism

Newsletters

Catalyst

The Law, Higher Education, and Substance Abuse Prevention

Computer Software

Looking at Binge Drinking

To obtain an Electronic Version of these publications, they can be downloaded from HEC's web site (see address above).

For more information, contact the U.S. Department of Education, Drug Prevention Program, FIPSE, ROB 3, 7th and D Streets, SW, Washington, DC 20202.

Other Publications

The following publications are recommended for additional information on enforcing the minimum drinking age law and developing new policies to change the social, legal, and economic environment in which college students make decisions about their drinking behavior:

American Council on Education. *Institutional Liability for Alcohol Consumption: A White Paper on Institutional Liability for Consumption of Alcohol and Drugs on Campus*. Washington, D.C.: American Council on Education, August 1992. Available through the American Council on Education, One Dupont Circle, N.W., Washington, DC 20036.

Commission on Substance Abuse at Colleges and Universities. *Rethinking Rites of Passage: Substance Abuse on America's Campuses*. New York, New York: Center on Addiction and Substance Abuse at Columbia University, 1994. Available through the Center on Addiction and Substance Abuse at Columbia University, 153 West 57th Street, New York, NY 10019.

Eigen, L.D. *Alcohol Practices, Policies, and Potentials of American Colleges and Universities: An OSAP White Paper*. Rockville, Maryland: U.S. Department of Health and Human Services, Office for Substance Abuse Prevention, 1991. Available through the National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD 20847.

Upcraft, M.L., and Welty, J.D. *A Guide for College Presidents and Governing Boards: Strategies for Eliminating Alcohol and Other Drug Abuse on Campuses*. Washington, D.C.: U.S.

Department of Education, Office of Educational Research and Improvement, 1990. Available through The Higher Education Center for Alcohol and Other Drug Prevention, 4800 Montgomery Lane, Suite 600, Bethesda, MD 20814.

Other Resources

Network of Colleges and Universities Committed to the Elimination of Alcohol and Drug Abuse
Office of Educational Research and Improvement

U.S. Department of Education
Washington, D.C. 20202
Established in 1987 by the U.S. Department of Education, the Network's purpose is to provide support to institutions of higher education that are establishing and enforcing policies to prevent the misuse of alcohol and other drugs. The Network has issued a set of standards that operate as criteria for institutional membership in the Network. Currently, over 1,500 institutions of higher education are members.

The Higher Education Center For Alcohol And Other Drug Prevention

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